

**REMARKS**

Applicant's representative respectfully thanks Examiner Guill for the courtesies extended during the January 18, 2007 telephonic interview. As per the discussions during the interview, independent claims 1 and 4 have been amended to recite "generating a report of the derived spring design," and new claim 24, which is similar to claim 1, has been added to recite "displaying the derived spring design."

Applicant respectfully asserts that these amendments merely clarify the recitation of the inventive method for modeling coil springs, and do not require further search and/or consideration.

Applicant therefore respectfully requests allowance of pending claims 1-22 and 24 based on the remarks presented below.

**Summary of the Office Action**

In the Office Action, the claims have been objected to for various informalities.

Claims 19 and 20 stand rejected under 35 U.S.C. § 102 (b) as being anticipated by the reference "Modeling of Coil Springs Using Parallel Mechanisms," 2000 to Kumagai (hereinafter *Kumagai*).

Claims 1-6, 8-18 and 21-23 stand rejected under 35 U.S.C. § 103 (a) as being unpatentable over *Kumagai* in view of "Instrumentation for Engineers and Scientists," 1999 to Turner (hereinafter *Turner*).

Claim 7 stands rejected under 35 U.S.C. § 103 (a) as being unpatentable over *Kumagai* in view of *Turner*, and further in view of U.S. Patent No. 5,797,191 to *Ziegert*.

**Summary of the Response to the Office Action**

Applicant proposes amending claims 1, 4, 16 and 18, and adding new claim 24. Based on the arguments presented below, claims 1-22 and 24 are pending for further consideration.

**35 U.S.C. 112, 2<sup>nd</sup> Paragraph Rejections**

In the Office Action, claims 16 and 18 stand rejected under 35 U.S.C. 112, 2<sup>nd</sup> Paragraph as being indefinite.

In the interest of expediting prosecution of this application, Applicant proposes amending claims 16 and 18 to now recite general FEM and kinematics software instead of MARC or ADAMS software.

Applicant therefore respectfully requests withdrawal of the 35 U.S.C. 112, 2<sup>nd</sup> Paragraph rejection of claims 16 and 18.

**35 U.S.C. 101 Rejection**

In the Office Action, claims 1-18 stand rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter.

As discussed above, as per the discussions during the January 18, 2007 telephonic interview, independent claims 1 and 4 have been amended to recite “generating a report of the derived spring design.”

Applicant therefore respectfully requests withdrawal of the 35 U.S.C. 101 rejection of claims 1-18 as being directed to non-statutory subject matter.

**All Claims are Allowable**

In the Office Action, claims 19 and 20 stand rejected under 35 U.S.C. § 102 (b) as being anticipated by the reference “Modeling of Coil Springs Using Parallel Mechanisms,” 2000 to Kumagai (hereinafter *Kumagai*). Claims 1-6, 8-18 and 21-23 stand rejected under 35 U.S.C. § 103 (a) as being unpatentable over *Kumagai* in view of “Instrumentation for Engineers and Scientists,” 1999 to Turner (hereinafter *Turner*). Claim 7 stands rejected under 35 U.S.C. § 103 (a) as being unpatentable over *Kumagai* in view of *Turner*, and further in view of U.S. Patent No. 5,797,191 to *Ziegert*.

Applicant respectfully traverses these rejections for the following reasons.

As discussed in the Amendment filed on September 7, 2006, Applicant believes that the *Kumagai* (01PC-81) reference should be withdrawn.

As requested in the outstanding Official Action, Applicant herewith submits a Declaration under 37 CFR § 1.132 by inventors Shinichi Nishizawa and Akihiko Kumagai, indicating that the reference “Modeling of Coil Springs Using Parallel Mechanisms,” 2000 to Kumagai (hereinafter *Kumagai*), which was published in the March 5-8, 2001 SAE Technical Paper Series as *Kumagai* (2001-01-0496), discloses their own work performed within one year of the application filing date (December 18, 2001 filing date of Provisional Application No. 60/341,681), and therefore, *Kumagai* cannot be used against claims 1-18 of the pending application under 35 U.S.C. 102(a).

Based on the concurrently filed Declaration under 37 CFR § 1.132, Applicant respectfully requests withdrawal of *Kumagai* as a reference. Applicant therefore respectfully asserts that since *Kumagai* is not available as references, claims 1-22 and 24 would be allowable.

### **CONCLUSION**

In view of the foregoing, Applicant respectfully requests the entry of this Amendment to place the application in clear condition for allowance or, in the alternative, in better form for appeal. Applicant also requests the Examiner’s reconsideration and reexamination of the application and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicant’s undersigned representative to expedite prosecution.

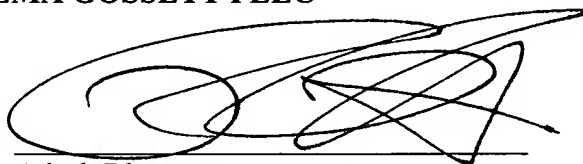
If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 04-2223. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

**DYKEMA GOSSETT PLLC**

Dated: February 22, 2007

By:

A handwritten signature in black ink, appearing to be 'Adesh Bhargava', written over a horizontal line.

Adesh Bhargava  
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